FILE COPY

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CHARLES ELMORE

IN THE

Supreme Court of the United States

OCTOBER TERM, 1934.

No. 383

G. D. SWINSON,

Petitioner,

vs.

CHICAGO, ST. PAUL, MINNEAPOLIS AND OMAHA RAILWAY COMPANY,

Respondent.

BRIEF OF RESPONDENT IN OPPOSITION TO PETITIONER'S MOTION TO ADVANCE.

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Of Counsel.

THE GUNTHORP-WARREN PRINTING COMPANY, 310 WEST JACKSON, CHICAGO

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A copy of petitioner's motion to advance the above case for hearing was served upon respondent's counsel in Minnesota, October 30, 1934, returnable November 5, 1934.

This case does not involve any matter of general public interest. There are no reasons why the case should be advanced, the alleged reasons set forth in the affidavit not being sufficient to justify this Court in laying aside its work of great public moment in order to take up this case out of its turn. Especially is this so at the present time when (a) the Court has before it and will have before it some of the most important cases in its history, and (b) the Court is fully abreast of its work

and in the ordinary course this case will not be long delayed. If petitioner, as indicated in the affidavit attached to the motion, will not require the full time alloted to him for argument, respondent will appreciate being granted such of petitioner's unused time as the Court may consider proper.

There is no substantial reason why the case should be advanced. The motion should be denied.

Respectfully submitted,

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